



PTO/SB/01A (08-03)

Approved for use through 06/30/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	OPTICAL PERFORMANCE MONITOR USING CO-LOCATED SWITCHABLE FIBER BRAGG GRATING ARRAY
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or  
 Application No. 10/714,451, filed on November 17, 2003,  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Tino Alavie

Signature: Citizen of: Canada

Inventor two: Keith Beckley

Signature: Citizen of: Canada

Inventor three: Stephen Leonard

Signature: Citizen of: Canada

Inventor four: Ming Gang Xu

Signature: Citizen of: Canada

Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/81 (09-03)  
Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/714,451
Filing Date	17 Nov 2003
First Named Inventor	Alavie et al.
Title	Optical Performance..Array
Art Unit	
Examiner Name	
Attorney Docket Number	14524

I hereby appoint:

Practitioners associated with the Customer Number:

000293

OR

Practitioner(s) named below:

Name	Registration Number
Ralph A. Dowell	26868
Lynn C. Schumacher	36413
Nancy E. Hill	41564
Wendy M. Slade	53604

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Ralph A. Dowell of DOWELL & DOWELL, P.C.
Address	Suite 309, 1215 Jefferson Davis Highway	
Address		
City	Arlington	State VA
Country	US	
Telephone	703 415 2555	Fax 703 415 2559

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

### SIGNATURE of Applicant or Assignee of Record

Name	Stephen Leonard	
Signature		
Date	DEC. 8, 2003	Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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**POWER OF ATTORNEY  
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INDICATION FORM**

Application Number	10714,451
Filing Date	17 Nov 2003
First Named Inventor	Alavie et al.
Title	Optical Performance..Array
Art Unit	
Examiner Name	
Attorney Docket Number	14524

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Address					
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*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*
**SIGNATURE of Applicant or Assignee of Record**

Name	Keith Beckley		
Signature	<i>Keith R. Beckley</i>		
Date	2003.12.08	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

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Examiner Name	
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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
 

**SIGNATURE of Applicant or Assignee of Record**

Name	Tino Alavie		
Signature			
Date			
	Telephone		

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OR

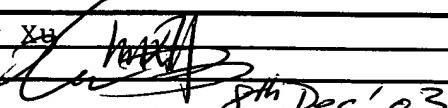
 The address associated with Customer Number:

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Ralph A. Dowell of DOWELL & DOWELL, P.C.			
Address	Suite 309, 1215 Jefferson Davis Highway				
Address					
City	Arlington	State	VA	Zip	22202
Country	US				
Telephone	703 415 2555	Fax	703 415 2559		

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 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)***SIGNATURE of Applicant or Assignee of Record**

Name	Ming Gang Xu
Signature	
Date	8th Dec '03
Telephone	

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 \*Total of 4 forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 1 1 2004

PATENT & TRADEMARK OFFICE

APPLICANT: Tino Alavie, Keith Beckley, Stephen Leonard and Ming  
Gang Xu

TITLE: OPTICAL PERFORMANCE MONITOR USING CO-LOCATED SWITCHABLE  
FIBER BRAGG GRATING ARRAY

SERIAL NUMBER: 10/714,451 FILED: 11/17/03 DOCKET NUMBER: 14524

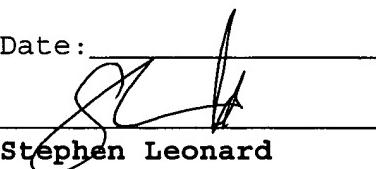
VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

[ X ] FOR INDEPENDENT INVENTORS

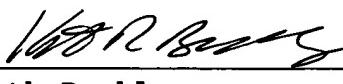
As a below-named inventor, I hereby declare that I am an independent inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law, to assign, grant, convey, or license, any rights in the invention, to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization, as defined in 37 CFR 1.9.

  
Tino Alavie

Date: \_\_\_\_\_

  
Stephen Leonard

Date: \_\_\_\_\_

  
Keith Beckley

Date: 2003.12.08

  
Ming Gang Xu

Date: 8th Dec'03

[ ] FOR SMALL BUSINESS CONCERN

I hereby declare that \_\_\_\_\_ is a business concern which qualifies as a small business concern as defined in §1.9(d) - namely, (1) whose number of employees, including those of its affiliates, does not exceed 500 persons; and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section; and that the exclusive rights to the invention have been conveyed to and remain with the above-identified small business concern.

I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like, so made, are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the patent application or any patent issuing thereon.

Name \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_